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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/519,091	12/23/2004	Herbert Baltes	47895	6614
1609	7590	12/15/2005	EXAMINER	
ROYLANCE, ABRAMS, BERDO & GOODMAN, L.L.P.			HOOK, JAMES F	
1300 19TH STREET, N.W.			ART UNIT	
SUITE 600			PAPER NUMBER	
WASHINGTON,, DC 20036			3754	

DATE MAILED: 12/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/519,091	Applicant(s) BALTES ET AL.	
	Examiner James F. Hook	Art Unit 3754	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>12/23/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

The abstract of the disclosure is objected to because it is more than one paragraph in length. Correction is required. See MPEP § 608.01(b).

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-8 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Loukonen (DE 2911792).

Claims 1, 2, 4-6, and 9 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Mercier (DE 1475765).

Claims 1-7 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by JP 2002 181002.

Claims 1, 2, 4-6, and 9 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Mercier (168).

Claims 1, 2, and 4 are rejected under 35 U.S.C. 102(b) as being anticipated by Greer. The patent to Greer discloses the recited hydraulic accumulator comprising a

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housing 12, an elastically flexible separating element 30, an edge reinforcement 30B in the form of a thickened area, a mounting surface shown near 30B in gas inlet element 18 where the edge reinforcement is provided on the side facing the gas inlet element with a convex guide surface that is in contact with the mounting surface which is concave, there is an angle of inclination at this contact meeting the limitations of claim 2, there is a raised thicker portion on the side facing the accumulator housing where such forms an additional reinforcement to this area and allows for the element to be compressed between the housing wall and the gas inlet element.

Claims 1, and 4-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Zahid. The patent to Zahid discloses the recited hydraulic accumulator comprising a housing 12, an elastically flexible separating element 11, an edge reinforcement 22 in the form of a thickened area, a mounting surface shown near 21 in gas inlet element 14 where the edge reinforcement is provided on the side facing the gas inlet element with a convex guide surface that is in contact with the mounting surface which is concave, there is a raised thicker portion on the side facing the accumulator housing where such forms an additional reinforcement to this area and allows for the element to be compressed between the housing wall and the gas inlet element, where such is ring shaped on the end of the separating element, where the ring takes the form of a bead integral to the separating element and rectangular in shape, where the bead can be seen to be in an indented part of the wall of housing 12 and therefore provided in a convex chamber, which forms a recess.

Claims 1-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Mercier (318). The patent to Mercier discloses the recited hydraulic accumulator comprising a housing 11, an elastically flexible separating element 14, an edge reinforcement 43 in the form of a thickened area, a mounting surface shown near 29 in gas inlet element 25 where the edge reinforcement is provided on the side facing the gas inlet element with a convex guide surface that is in contact with the mounting surface which is concave, there is a raised thicker portion on the side facing the accumulator housing near number 38 where such forms an additional reinforcement to this area and allows for the element to be compressed between the housing wall and the gas inlet element, where such is ring shaped on the end of the separating element, where the ring takes the form of a bead integral to the separating element and rectangular in shape, where the bead can be seen to be in an indented part of the wall of housing 12 and therefore provided in a convex chamber, which forms a recess, there is an angle of inclination at this contact meeting the limitations of claim 2, where the interface between this portion and the valve is supported by the structure of the valve and the pointed portion of the edge reinforcement thereby meeting claim 3, and such is considered to show a steeper wall angle to the separating element in that the wall continues where the separating element is angled inwardly from the curved end of the housing thereby meeting claim 9.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The patents to Overbeke, Mercier (392, 147, 168, 047, 017, and

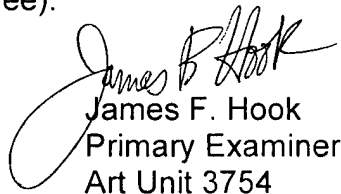
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949), and Lord disclosing state of the art reinforced separating elements in accumulators.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James F. Hook whose telephone number is (571) 272-4903. The examiner can normally be reached on Monday to Wednesday, work at home Thursdays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Mar can be reached on (571) 272-4906. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


James F. Hook
Primary Examiner
Art Unit 3754

JFH